

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

LARRY WAYNE BRADLEY,
Plaintiff,

vs.

THURL KEVIN BLUME, et al.,
Defendants.

Case No. 1:15-cv-344

Dlott, J.
Litkovitz, M.J.

**REPORT AND
RECOMMENDATION**

Plaintiff, an inmate at Ross Correctional Institution in Chillicothe, Ohio, has complied with a Deficiency Order issued June 5, 2015 by filing a motion for leave to proceed *in forma pauperis* and a *pro se* civil complaint. (See Docs. 3, 7-8). Plaintiff's financial affidavit reveals that he has sufficient funds to pay the full filing fee of \$400.00 (\$350 filing fee and \$50 administrative fee) in order to institute this action. Although plaintiff's certified prison trust fund account statement reveals that as of June 15, 2015, plaintiff only had \$380.02 on account to his credit at RCI, plaintiff has stated in his financial affidavit that he received \$25,000 in "[g]ifts or inheritances" in the "past 12 months." (See Doc. 7, at PAGEID#: 113-14, 116-14). Because it thus appears that plaintiff has sufficient funds to commence this action, it is **RECOMMENDED** that plaintiff's motion for leave to proceed *in forma pauperis* (Doc. 7) be **DENIED** and that plaintiff be ordered to pay the required filing fee of \$400.00 within **thirty (30) days** of the date of filing of any Order adopting this Report and Recommendation.

IT IS SO RECOMMENDED.

Date: 7/20/2015

s/Karen L. Litkovitz
Karen L. Litkovitz
United States Magistrate Judge

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NOTICE

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to this Report & Recommendation (“R&R”) within **FOURTEEN (14) DAYS** after being served with a copy thereof. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent’s objections within **FOURTEEN DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

cbc